

REMARKS/ARGUMENTS

Reconsideration of the Office action dated June 10, 2003, in view of the foregoing amendments and the following remarks is respectfully requested. Applicant notes that the examiner has indicated the allowability of claims 15-18.

Claims 1 and 5-19 are pending, and claims 1 and 5-8 have been rejected under 35 U.S.C. 102(b) as being anticipated by Sway. The Examiner states that Sway teaches an apparatus comprising a base platform (30) having an alignment member (36) and a plurality of molding trays to be configured to engage the alignment member of the base platform. Claim 1 in pertinent part recites “a base platform having an alignment member defined by a vertical support member and at least one dispenser receptacle,” and “a plurality of confection mold trays configured for vertical stacking one on top of another, rotatable about a central axis and configured for being received to engage the alignment member of the base platform through alignment apertures.” Sway does not disclose, teach or suggest at least one dispenser receptacle as an element of the base. Further, Sway does not disclose, teach or suggest mold trays configured to engage the alignment member of the base platform through alignment apertures. Therefore, applicant’s respectfully request this rejection be withdrawn and claim 1 be indicated allowable.

Claims 5-8 depend from claim 1 and are therefore allowable for at least the reasons discussed above with respect to claim 1. Applicants respectfully request this rejection be withdrawn and claims 5-8 be indicated allowable.

The Examiner has rejected claim 19 under 35 U.S.C. 102(b) as being anticipated by McBride. The Examiner states that McBride discloses an apparatus comprising a base platform

(18) having a vertical alignment member (16) located concentric with a central axis, a plurality of stackable rotatable trays (12) including alignment apertures configured to engage the vertical alignment member of the base platform as the trays are stacked, and wherein the trays are configured to rotate around the central axis.

Applicants respectfully traverse the Examiner's rejection of claim 19. Claim 19 recites in pertinent part "a confection mixture configured to dissolve in warm water and solidify into eatable confections as the dissolved mixture cools." McBride does not disclose, teach or suggest a confection mixture of any kind. Therefore, claim 19 is not anticipated by McBride.

Applicants respectfully request the Examiner's rejection of claim 19 be withdrawn and claim 19 be indicated allowable.

For the above reasons, applicant submits that the present application is in condition for allowance, and respectfully requests that a Notice of Allowance be issued forthwith. If the examiner has any questions, he is invited to contact the undersigned at the number listed below.

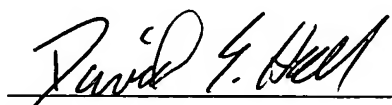
Respectfully submitted,

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 10, 2003.


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